

REMARKS/ARGUMENTS

These remarks are filed in response to the Examiner's Report of February 28, 2008, a response to which is due by May 28, 2008. Accordingly, the Applicant respectfully submits that no extension of time fees fall due in connection with the filing of this paper. These amendments are filed with a Request for Continued Examination (RCE) under 37 C.F.R. 1.114, along with the applicable fee of \$810.00. If additional fees are required, the Commissioner is hereby authorized to deduct any necessary fees from our Deposit Account No. 13-2400.

Independent claims 1, 11, and 21 have been amended. Claim 22 is new. Following entry of the amendments, 20 claims remain pending, meaning no excess claim fees fall due as a result of this amendment.

Claim 11 has been voluntarily amended to remove the phrase "of each interface device", to clarify the antecedent basis of the message assembler. Therefore, the message assembler now refers to the message assembler in regards to the subject interface device.

New claim 22 states that each interface device in the group of interface devices operates in the same network layer. The support of this is for example illustrated throughout the specification and shown in Figure 1, which shows that each interface device 128 operates in the same network layer.

The Examiner has rejected to all pending claims 1 to 12, 14, 15, and 17 to 21, for obviousness having regard to U.S. Patent Application No. 2001/0043579 to Tourunen et al. in view of the 3GPP Technical Specification ("3GPP"). Specifically, the Examiner suggests that 3GPP overcomes the deficiencies of Tourunen et al. The Examiner has further indicated at page 13 of the Examiner's report, that the cited references therefore render obvious the claims "as claimed".

Independent claims 1, 11, and 20 have been amended to clarify that each of the interface devices in the group of interface devices are configured with the same functionality. Support is found throughout the description as originally filed. For example, support is found in Figure 2 and paragraph 28 of the description as originally filed, which indicates that the same datagram reassembly process, indicated generally by reference 200, is implemented by a message or datagram assembler 138 and is implemented on each of the wireless transport interfaces 128 in the group.

The claim amendments therefore clarify that any one of the interface devices in the group of interfaces can perform the functions stated within the claims. For example, this occurs because the interface devices operate together on a peer basis in the same network layer, as shown in the embodiment of Figure 1. Any one of the interface devices can take ownership for reassembly of the datagrams or messages. See paragraph 26 of the subject application. The operation of the system has been explained extensively in Applicant's previous submissions dated December 6, 2007. The interface devices in the group are also therefore interchangeable in their functions.

The crux of the Examiner's objection is that Tourunen et al. teaches communication between the SGSN and the SRNS, wherein the SRNS would be considered another interface "in the group". See page 3, second paragraph and page 12, line 11 to page 13, line 3 of the Examiner's Office Action. Such a configuration would require the SGSN to communicate with another interface, namely the SRNS, which is configured in another network layer. However, the SGSN and SRNS would not be considered to be configured with the "same functionality" as required in the amended claims. As can be appreciated, they would not be interchangeable as they perform different functions within different network layers, and interchanging the devices could destroy or severely cripple the functionality as described in Tourunen et al. As described throughout the specification, the present invention operates with a number of wireless transport interfaces 128 which have the same functionality, in the same network layer. Any one of the transport interfaces 128 can perform the functions. The Examiner further applies 3GPP in indicating that 3GPP would allow the SGSN to communicate with the SRNS (or

BSS). However, for the same reasons, the SRNS would not be considered another interface device "in the group", wherein each of the interface devices in the group of interface devices are configured with the same functionality. Therefore, 3GPP does not address the deficiencies of Tourunen et al. with respect to the amended claims.

As it appears that the Examiner had objected to the broad wording of the previously presented claims, it is submitted that the independent claims as amended address the Examiner's objection.

With respect to remaining claims, as these are dependent on the independent claims, it is submitted that these claims would also be considered unobvious in view of Tourunen et al. in view of the 3GPP.

Favourable reconsideration and allowance of this application are respectfully requested. Should the Examiner believe however that additional amendments to the claims may be required to secure allowance of this application; he is invited to telephone the undersigned at the below-noted number to facilitate further prosecution of this application.

Respectfully Submitted,

ZOU, Bo et al

By: 

Fraser D. Rowand, Regn. No.53870

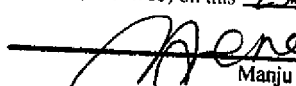
Place: Toronto, Ontario, Canada

Date: May 23, 2008

Tele No.: 416-868-1482

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this document is being transmitted electronically
Via the United States Patent and Trademark Office's Electronic Filing
Service (EFS-Web) on this 23rd day of May, 2008


Manju Mena